SINGLE BENCH (4)

C.S. 1001 (2)

IN THE HIGH COURT OF CHHATTISGARH, AT- BILASPUR

WRIT PETITION (S) NO. 4236 OF 2006

PETITIONER : MOHAMMED RAFIK,
AGED – 53 YEARS,
SHIKH MOHAMMED UMER
POSTED AS – U. D. T.
AT – MIDDLE SCHOOL, PALI,
BLOCK – PALI
R/O NEW BUS STAND, PALI,
DISTRICT – KORBA, (C.G.)

VERSUS

RESPONDENTS : 1. STATE OF CHHATTISGARH,
THROUGH – THE SECRETARY,
DEPARTMENT OF SCHEDULE
TRIBE & SCHUDULE CASTE
DEVELOPMENT,
D. K. S. BHAWAN, RAIPUR

2. THE COMMISSIONER,
DEPARTMENT OF SCHEDULE
TRIBE & SCHUDULE CASTE
DEVELOPMENT, CHHATTISGARH,
H. Q. – PT. R. S. U. CAMPUS,
RAIPUR

3. THE COLLECTOR,
TRIBAL DEVELOPMENT DEPT.
DISTRICT – KORBA (C. G.)

P.R. No. 4305/06
Presented by Shri Virendra Gandhi
dated 7/12/06

CERTIFIED COPY
7/12/06
BILASPUR

Writ Petition Under Article – 226 & 227 of Constitution of India for issuance of writ in the nature of mandamus or suitable direction or directions, order or orders etc.

XI-HC-78

(38)

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

मामला क्रमांक ...W.P.4236... **सन्** 2006

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
	14-8-2006 Shri V. Deepak Rao, Advocate appears on behalf of Shri R.K. Kesharwani, counsel for the petitioner. Smt. Anju Ahuja, Deputy Govt. Advocate for the State/respondents, on advance copy. Heard. By the instant petition, the petitioner has challenged the transfer orders Annexures-P/1 and P/2 dated 6th July 2006 and 7th July 2006, respectively, whereby the petitioner was initially transferred from Middle School, Pali to Balak Ashram, Badgaon and thereafter he has been transferred from Middle School Pali to Primary School, Chitakhol, Block Kartala, District Korba. The main grievance of the petitioner is that in the Annexure-P/2 the place for which the name of the petitioner was included at S. No.144 pertains to the Assistant Teachers whereas, the petitioner is an Upper Division Teacher and he has been transferred to Primary School where Upper Division Teachers cannot be transferred. The petitioner can be transferred as a Head Master only. Therefore, the apparent mistake has appeared in the transfer list. Counsel for the petitioner submitted that the petitioner may be allowed to make a representation to respondent No.1 and he be directed to decide the same, to which counsel for respondents has no objection. Having heard learned counsel for the parties, having regard to the facts and circumstances of the case and without expressing any opinion on the merit of the case, the petitioner is allowed to make a detailed representation along with a copy of this petition to respondent No.1 raising all his grievances within a period of 10 days from today and in turn,	

P.T.O.

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उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

मामला क्रमांक ..... सन् 200

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
	respondent No.1 shall decide the representation of the petitioner within a period of 30 days from the date of receipt of the representation, after considering all the points raised by the petitioner, in accordance with law. In the meantime, the effect and operation of the impugned orders in respect of the petitioner shall remain stayed, till the representation of the petitioner is decided. With the direction aforesaid, the petition stands disposed of. Consequently, M.(W.)P. No.3290/2006 also stands disposed of. Parties are entitled for certified copy of this order. **Sd/-** **L.C. Bhadoo** **Judge**	
Barve		

P.T.O.